

REMARKS

Claims 1-47 were pending and presented for examination and in this application. In an Office Action dated October 18, 2006, claims 1-47 were rejected. Applicant thanks Examiner for examination of the claims pending in this application and addresses Examiner's comments below.

Applicant is canceling claims 2 and 25 with this Amendment and Response. Applicant is amending claims 1, 3-4, 24, 26-27, and 47 in this Amendment and Response. These changes are believed not to introduce new matter, and their entry is respectfully requested.

In view of the Amendments herein and the Remarks that follow, Applicant respectfully requests that Examiner reconsider all outstanding rejections and withdraw them.

Response to Rejection Under 35 USC § 112, Paragraph 2

In the 5th paragraph of the Office Action, Examiner has rejected claim 24 under 35 USC § 112, ¶ 2 as allegedly being indefinite for reciting the phrase "the method" with insufficient antecedent basis. However, Applicant notes that the word "method" does not appear in claim 24.

Applicant respectfully requests that Examiner provide clarification or withdraw the § 112 rejection to claim 24.

Response to Rejection Under 35 USC 102(e) in View of Kiessig

In the 7th paragraph of the Office Action, Examiner rejects claims 1-10, 15-33, and 38-47 under 35 USC § 102(e) as allegedly being anticipated by Kiessig et al. (U.S.

Publication No. 2004/0133544, hereinafter “Kiessig”). This rejection is respectfully traversed.

As amended, claim 1 recites a method comprising the following:

providing a data store of stored **events**, wherein the events comprise user interactions with articles;
providing an **index** of the stored events, wherein the index is a part of the data store;
identifying a desired portion of the data store for replication; and
replicating the desired portion of the data store.
(emphasis added)

As can be seen, the claim recites providing a data store of stored events and an index of the stored events. An event comprises a user interaction with an article. The claimed invention beneficially allows for identifying a desired portion of the data store for replication and replicating the desired portion of the data store. A portion of a data store may be replicated, for example, to archive it or to transfer it to another location.

Claim 24, as amended, contains language similar to claim 1 and all arguments presented below regarding claim 1 equally apply to claim 24.

Kiessig discloses an electronic file management system including a file management database and other databases. However, none of the databases disclosed in Kiessig contains a data store of events and an index of the stored events, where events comprise user interactions with articles.

Accordingly, Kiessig does not disclose “providing a data store of stored events, wherein the events comprise user interactions with articles.” The examiner cites the abstract, paragraph 0058, paragraph 0074, and paragraph 0027 of Kiessig as disclosing this element.

The abstract mentions that the “file management system may enable certain actions to occur automatically based on predetermined events.” However, the storage of these events is not disclosed. Paragraph 0058 mentions the storage of information about files, such as file versions. Paragraph 0074 discloses an email integration package that allows emails to be associated with files and folders. However, neither of these portions discloses storing events comprising user interactions with articles. Paragraph 0027 states that “anything done to a file or folder can be an event that can trigger an action” and that actions can be programmed by the user. Again, however, the storage of events is not disclosed. Paragraph 0096 (not cited by Examiner) mentions the management of metadata associated with files (referred to as “blobs”). This metadata describes the associated file and contains information such as the history or status of the file. However, the metadata does not describe a user interaction with the file and therefore the management of metadata in Kiessig does not disclose the storage of events comprising user interactions with articles.

Kiessig further does not disclose “providing an index of the stored events, wherein the index is part of the data store.” Since Kiessig does not even disclose the storage of events, it does not disclose the indexing of stored events. The Examiner cites Paragraph 0015 of Kiessig as disclosing this element (prior to the amendments herein, this element was contained in claim 2). This paragraph mentions queuing a file to a search engine for indexing. However, this discloses only the indexing of files, not the indexing of stored events comprising user interactions with articles. In particular, Kiessig discloses the indexing of files after such files are modified, but does not disclose indexing the action, or event, of a user modifying the file.

Claim 47, amended solely to correct a typographical error, recites a method comprising the following:

providing a database of stored **events**, wherein the events comprise user interactions with articles on the client device, and wherein the articles are capable of being associated with at least one of a plurality of client applications;
providing an **index** of the stored events;

...

(emphasis added)

The arguments given above regarding the data store and index of claim 1 apply similarly to the database and index of claim 47. Neither the database nor index of claim 47 are disclosed by Kiessig. When discussing the database element of claim 47, the Examiner cites a different portion of Kiessig than cited for the data store element of claim 1. The Examiner asserts that Kiessig discloses this element in paragraph 0156, which mentions that the occurrence of certain events may generate XML messages that are sent to a client. However, this portion does not mention that the events are user interactions with articles on a client device, and it does not disclose the storage of such events in a database.

Based on the above remarks, Applicant respectfully submits that for at least these reasons claims 1, 24, and 47 are patentably distinguishable over the cited reference. Therefore, Applicant respectfully requests that Examiner reconsider the rejection and withdraw it. As to dependent claims, because claims 3-10 and 15-23 are dependent on claim 1 and claims 26-33 and 38-46 are dependent on claim 24, all arguments advanced above with respect to claims 1 and 24 are hereby incorporated so as to apply to these dependent claims. Applicant disagrees with the Examiner's contention that the dependent claims are anticipated by Kiessig, but asserts that they are patentable for at least the same reasons as the independent claims 1 and 24.

Response to Rejection Under 35 USC 103(a) in View of Kiessig and Ryan

In the 9th paragraph of the Office Action, Examiner rejects claims 11-14 and 34-37 under 35 USC § 103(a) as allegedly being unpatentable in view of Kiessig and Ryan et al. (U.S. Patent No. 6,421,675, hereinafter “Ryan”). This rejection is respectfully traversed.

Since claims 11-14 are dependent on claim 1 and claims 34-37 are dependent on claim 24, all arguments advanced above with respect to claims 1 and 24 are hereby incorporated so as to apply to these dependent claims. Applicant disagrees with the Examiner’s contention that the dependent claims are obvious over Kiessig in view of Ryan, but asserts that they are patentable for at least the same reasons as the independent claims 1 and 24. Ryan does not remedy the deficiencies of Kiessig with respect to these arguments. Ryan describes a method of updating an internet search engine to prioritize results of a keyword search based on previous selections of results by users. This reference is not concerned with the storage or indexing of events, where an event comprises user interactions with articles.

Based on the above remarks, Applicant respectfully submits that for at least these reasons claims 1-14 and 34-37 are patentably distinguishable over the cited references. Therefore, Applicant respectfully requests that Examiner reconsider the rejection and withdraw it.

Conclusion

On the basis of the above remarks, consideration of this application and the early allowance of all claims herein are requested.

Should the Examiner wish to discuss the above remarks, or if the Examiner believes that for any reason direct contact with the Applicants' representative would help to advance the prosecution of this case to finality, the Examiner is invited to telephone the undersigned at the number given below.

Respectfully Submitted,
MIHAI FLORIN IONESCU

Date: January 18, 2007

By: /Brian Hoffman/

Brian M. Hoffman, Attorney of Record
Registration No. 39,713
FENWICK & WEST LLP
801 California Street
Mountain View, CA 94041
Phone: (650) 335-7607
Fax: (650) 938-5200